



U.S. Department of Justice

United States Attorney
Northern District of Ohio

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December 10, 2018

Gregory Brodersen


Medina, Ohio 44256

Re: Subpoena in *In re: National Prescription Opiate Litigation*, MDL No. 2804
(N.D. Ohio)

Dear Mr. Brodersen:

You have been requested by counsel for defendants in the above captioned case to appear at a deposition and testify regarding official Department of Justice information. The Drug Enforcement Administration (DEA) was notified of this request and has stated that it opposes the request. After reviewing the request, I have determined that you lack personal knowledge regarding the requested testimony because you were never assigned to the Summit County drug unit. Further, any relevant personal knowledge you have would be cumulative with other witnesses who are being authorized to testify and/or would be privileged. *See, e.g., United States v. Weischedel*, 201 F.3d 1250, 1255 (9th Cir. 2000) (affirming the denial of request to subpoena witnesses whose testimony, although relevant, would be cumulative); *see also* Fed. R. Civ. P. 26(b)(2)(C). Therefore, I have determined that it would be inappropriate for you to testify regarding the requested topics.

If you are asked to testify about official Department of Justice information in this case, you should respectfully decline to answer and explain that 28 C.F.R. § 16.22(a) precludes you from doing so. If you have any questions, please do not hesitate to contact DEA Assistant Deputy Chief Counsel Sandra Stevens or Assistant U.S. Attorney James Bennett (216-622-3988).


AVA ROTELL DUSTIN
Executive Assistant United States Attorney
Office of the United States Attorney
Northern District of Ohio
Acting Under Authority Conferred by 28 U.S.C. § 515

GOVERNMENT
EXHIBIT

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